PROPOSED

BYLAW NUMBER 35M2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND BYLAW 35M2018,
THE ELECTIONS BYLAW**
* *

WHEREAS Council has considered PFC2020-0965 and considers it desirable to amend Bylaw 35M2018, the Elections Bylaw;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1.   Bylaw 35M2018, the Elections Bylaw, as amended, is hereby further amended.

2.   In the preamble:

(1)   the following is deleted:

"**AND WHEREAS** Council, being a local authority as defined in the *Act*, deems it desirable that voting stations for an election be open at 8 a.m.;"

and replaced with the following:

"**AND WHEREAS** Council, being an elected authority as defined in the *Act*, deems it desirable that voting stations for an election be open at 8 a.m.; ";

and

(2)   after:

"**AND WHEREAS** section 4 of the *Calgary Election Regulation AR 293/2009* provides that section 78(5) of the *Act* does not apply in the case of an elector who is blind and directs that:

(a)   the deputy shall provide at advance vote stations on an as-required basis blind voter templates that will allow the elector to vote entirely unassisted; and

(b)   the returning officer shall ensure that advertisements for advance voting stations contain statements that blind voter templates will be available only at advance voting stations and will not be available on election day; "

the following is added:

"**AND WHEREAS** section 27(2) of the *Act* allows an elected authority in a city with a population of at least 10,000 to specify a required number of electors to sign the nomination of a candidate for office as a member of the Council of The City Calgary, and that number must be at least 5 and not more than 100;

AND WHEREAS, Council is desirous that the minimum number of electors required to sign nomination papers be 100.

AND WHEREAS section 29 of the *Act* provides that an elected authority may by bylaw require every nomination be accompanied by a deposit in an amount fixed in the bylaw;

AND WHEREAS under sections 2 and 3 of the *Act* The Calgary Board of Education and the Roman Catholic Separate School District No. 1 have entered into an agreement for The City of Calgary to conduct joint elections;

AND WHEREAS under sections 2 and 3 of the *Act*, the elected authority conducting the election has the power to pass bylaws where a joint election agreement has been made;

AND WHEREAS Council is desirous that the deposit be $500 for the office of Mayor of the City of Calgary and $100 for all other offices of the City of Calgary, Calgary Board of Education and Calgary Roman Catholic Separate School District No.1;

AND WHEREAS section 13(2.1) of the *Act* requires an elected authority to appoint a substitute returning officer by June 30 of the year in which the election occurs or, for a by-election, in the resolution or bylaw that fixes the day for the by-election;

AND WHEREAS section 147.32 of the *Act* provides that every candidate or a person acting on behalf of the candidate shall issue a receipt for every contribution accepted in a form acceptable to the local jurisdiction;

AND WHEREAS section 177 of the *Act* provides that a third party shall issue receipts in the form and manner approved by the local jurisdiction for every advertising contribution accepted by the third party;".

3. In section 2, the following is added after subsection 2(e) as subsection 2(e.1):

"(e.1) "*candidate*" means an individual who has been nominated to run for election in a local jurisdiction as member of *Council* or school board trustee;".

4. The following is added after subsection 4(2) as subsection 4(3):

"(3) The *Returning Officer* is hereby delegated the authority to prescribe procedures and other forms governing the enumeration of electors and any other methods of compiling and revising a permanent electors register.".

5. The following is added after section 4 as sections 4.1 to 4.5:

"**PART 2.1 – SUBSTITUTE RETURNING OFFICER**

4.1 The *Returning Officer* is hereby delegated the authority to appoint a substitute returning officer.

PART 2.2 - NOMINATIONS

Nomination Signatures

4.2 The minimum number of electors required to sign the nomination papers of a *candidate* for office as a member of the *Council* is 100.

Nomination Deposit

4.3 (1) Every nomination paper required by the *Act* which nominates a *candidate* for election as a:

    (a) member of *Council* other than the Mayor; or

    (b) school board trustee;

    must be accompanied by a deposit in the amount of $100 in cash, certified cheque or money order.

    (2) Every nomination paper required by the *Act* which nominates a *candidate* for election to the office of Mayor must be accompanied by a deposit in the amount of $500 in cash, certified cheque or money order.

    (3) If the deposit is made by certified cheque or money order it must be drawn in favour of The City of Calgary.

    (4) The deposit shall be taken in to general revenue unless the circumstances provided for in section 30(4) of the *Act* prevail in which case it shall be returned to the *candidate* after a *candidate* has been declared elected.

Locations Where Nominations may be received

4.4 (1) The *Returning Officer* is hereby authorized to establish one or more locations where a deputy may receive nominations.

    (2) The *Returning Officer* must publish on The City's website a list of all locations where nominations may be received.

PART 2.3 – VOTING STATIONS

4.5 The *Returning Officer* is hereby authorized to to designate more than one *voting station* for each voting subdivision and the location of such *voting stations.*"

6. Subsection 6.2(4)(c) is deleted.

7. Section 8 is renumbered as subsection 8(1) and the following is added as subsection 8(2):

    "(2)   The *Returning Officer* may use a single ballot for the office of chief elected official, the offices of councillors and the offices of school representatives or trustees.".

8. (1)   Section 17 is renumbered as subsection 17(1).

    (2)   In subsection 17(1)(a), the words "subsection 14(4)" are deleted and replaced with "section 13".

    (3)   The following is added as subsection 17(2):

    "(2)   Despite subsection (1), *ballot* boxes for special *ballots*, institutional and advance vote *voting stations* may be opened on *election day* prior to the close of regular *voting stations* for the purpose of inserting *ballots* into the *tabulator*. The steps set out in subsection (1) otherwise are applicable to special *ballots* and *ballots* from institutional and advance vote *voting stations*."

9. After section 19, the following is added as sections 19.1 and 19.2:

"**PART 5.1 – CAMPAIGN CONTRIBUTION RECEIPTS**

19.1   (1)   Every *candidate* or a person acting on behalf of the *candidate* must issue a receipt for every contribution accepted.

    (2)   A receipt issued pursuant to subsection (1) must include the following information:

        (a)   date of contribution;

        (b)   name of individual contributor;

        (c)   address of individual contributor; and

        (d)   amount contributed.

PART 5.2 – ADVERTISING CONTRIBUTION RECEIPTS

19.2   (1)   A third party must issue receipts for every advertising contribution accepted by the third party.

    (2)   A receipt issued pursuant to subsection (1) must include the following information:

        (a)   date of contribution;

        (b)   name of contributor;

(c)   address of contributor; and

(d)   amount contributed.

(3)   In this section, "third party" and "advertising contribution" have the meaning as set out in the *Act.*".

8.   The following bylaws are hereby repealed:

(a)   Bylaw 30M2007, The Nomination Deposit Bylaw;

(b)   Bylaw 31M2007, The Nomination Signature Bylaw; and

(c)   By-Law 37M80, A By-Law of the City of Calgary respecting the Rotation of Names on the Ballot Paper for Electors under *The Municipal Election Act* and *The School Election Act*.

9.   This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON   _____

READ A SECOND TIME ON   _____

READ A THIRD TIME ON   _____

_____
MAYOR

SIGNED ON   _____

_____
CITY CLERK

SIGNED ON   _____